

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

-----X  
KENSIL DEXTER FENDER,

Plaintiff,

-against-

UNITED STATES OF AMERICA,

Defendant.  
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**NOT FOR PUBLICATION**  
**MEMORANDUM & ORDER**  
15-CV-5474 (CBA) (CLP)

**FILED**  
IN CLERK'S OFFICE  
U.S. DISTRICT COURT E.D.N.Y.  
★ JAN 21 2016 ★

BROOKLYN OFFICE

**AMON, Chief United States District Judge:**

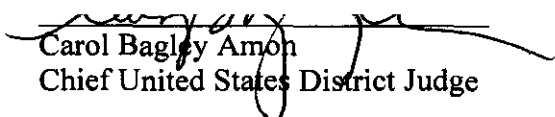
On August 31, 2015, pro se plaintiff Kensil Fender petitioned the Court for the recovery of property seized during the search of his home by the U.S. Marshal's Service. (D.E. # 1 at 8.) The Court referred all matters in this case to the Honorable Cheryl L. Pollak, United States Magistrate Judge. (See D.E. # 3.) On December 7, 2015, Fender requested to withdraw his petition without prejudice. (See D.E. # 8.) The United States does not object to this request. (See D.E. # 7.) Judge Pollak recommends the request be granted. (See D.E. # 10, "R&R.")

No party has objected to the R&R, and the time for doing so has passed. To accept those portions of an R&R to which no timely objection has been made, "a district court need only satisfy itself that there is no clear error on the face of the record." Jarvis v. N. Am. Globex Fund, L.P., 823 F. Supp. 2d 161, 163 (E.D.N.Y. 2011) (internal quotation marks omitted). The Court finds no clear error in Judge Pollak's recommendation, and therefore Fender's request to withdraw his petition without prejudice is granted.

SO ORDERED.

Dated: Jan 21, 2016  
Brooklyn, New York

s/Carol Bagley Amon

  
Carol Bagley Amon  
Chief United States District Judge